

ty asking the repeal of the Liquor Law. Referred to Committee on Finance.

The resolution relative to printing 2000 copies of Governor's message was read and adopted.

The Senate then adjourned until 9 o'clock A.M. tomorrow.

Saturday, May 14, 1864

9 o'clock A.M.

Senate met. Prayer by the Chaplain, roll called, quorum present. The Journal of yesterday was read and adopted.

Mr. Harcourt, Chairman of the Judiciary Committee, reported a bill to define and punish offenses committed within the State by persons under the protection or authority of the public enemy, and recommended its passage.

Mr. White introduced a bill for the subsistence of soldiers' families. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Guinn offered the following resolution: *Resolved*, That the Adjutant and Inspector General be requested to furnish the Senate with the following information:

1st—How many persons have been detailed from the military force of the State.

2nd—For what objects said details have severally been made and upon whose application.

3rd—Whether there is any record in his office showing the number, and who has been detailed, for transportation agents [or] teamsters, and in connection with the purchase of cotton and the amount of transportation certified or stated to be furnished by each one—if so a separate list containing the details granted and the information asked for in connection will be furnished. Adopted. Mr. Guinn also offered the following: *Resolved*, That the Military Board be requested to furnish the Senate the following information:

How much cotton has the state purchased? From whom? The price paid? How paid? Through whom paid? The amount paid or agreed to be paid for transportation? If any sold, what has been realized in return? The number of purchasing agents in their employ and their names and residence. Laid over 1 day.

The Committee on Printing, Mr. Ford, Chairman, reported a contract with the *State Gazette* office for printing

2000 copies of the Governor's message at four dollars per page which may be discharged in Confederate Treasury notes at 20 for 1.

Mr. Throckmorton introduced a bill to provide for a revision of the laws. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Jordan introduced a bill to amend Article 527 of the Code of Criminal Procedure. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Durant introduced a bill to amend the stay laws. Read 1st and 2nd times and referred to Judiciary Committee. Mr. Davis introduced a bill to amend Articles 743 and 744, Chapter 8, Title 1 of the Penal Code. Read 1st and 2nd times and referred to Judiciary Committee.

The bill amending the laws concerning divorce and alimony with reports of Judiciary Committee adversely to its passage was read 2nd time and Mr. White moved to lay the report upon the table. The yeas and nays being called stood:

Yeas—Messrs. Dickson, Durant, Ford, Guinn, Hartley, Jordan, Kinsey, Knox, Magoffin, Moore of Davis, Quayle, and White—12.

Nays—Messrs. Beasley, Burney, Charlton, Cooley, Davis, Harcourt, Moore of Bastrop, Selman, Throckmorton, and Weatherford—10.

Mr. Dickson then moved to amend the bill by striking out that portion relative to felony—carried.

Mr. Hartley moved to amend by striking out, "and shall fail for 30 days after the passage of this act to return to his allegiance to this state." The further consideration of the bill was then postponed until Monday.

A bill to define and punish the unlawful interference with the exportation and transportation of cotton or other articles. Read 2nd time and ordered to be engrossed. Upon a motion to suspend the rule the yeas and nays stood:

Yeas—Messrs. Beasley, Charlton, Davis, Dickson, Durant, Harcourt, Jordan, Jowers, Magoffin, Moore of Davis, Moore of Bastrop, Montague, Quayle, Throckmorton, Weatherford, Wootten, and White—17.

Nays—Messrs. Burney, Cooley, Ford, Hartley, Kinsey, Knox, Lea, and Selman—8.

Mr. Knox offered the following which was unanimously adopted: *Resolved, by the Senate of the State of Texas, That*

we have heard, with profound sorrow the announcement of the death of N. A. Mitchell, the representative in this body of the 30th Senatorial District. In him the State has lost a valuable public servant, his constituents an able representation, the country a tried patriot and soldier, and we a colleague whose amiable character has endeared him to us all.

2nd *Resolved*, That to his bereaved family, in this their great affliction, we tender our heart felt sympathies; and that the Secretary of the Senate be instructed to forward to them a copy of these resolutions.

3rd *Resolved*, That in honor of the memory of the deceased, that we wear the usual badge of mourning for the balance of the session; and that we do now adjourn until 9 o'clock Monday morning next.

Monday, May 16th 1864
9 o'clock A.M.

Senate met. Prayer by the Chaplain, roll called, quorum present. The Journal of yesterday was read and adopted.

Mr. Harcourt, Chairman of the Judiciary Committee, made the following report:

Committee Room, 16 May

The Judiciary Committee has considered a bill to amend Articles 743 and 744 of the Penal Code, and a majority of the Committee direct me to report the same back to the Senate and recommend its passage. The amendment proposed is to authorize the infliction of capital punishment in cases of robbery.

It was [presented?] before the Committee that in some portions of the State, lawless bands of men were marauding over the country, and by force and violence robbing peaceable citizens of their property. That such offenders were not deterred by the fear of the Penitentiary, and the people believing that punishment was not adequate or certain, were inclined to administer summary punishment by hanging.

The amendment deserves serious consideration.

John T. Harcourt, Chairman

Also reported the following bills and recommended their passage: